

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. Chairman Johnson invited the public to address the Commission. Chairman Johnson also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published October 30, 2007 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held November 6, 2007 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, November 6, 2007:

911-023.43 Commission Hearing Room and Panhandle Research & Extension
1:30 Center, High Plains Room, 4502 Avenue I, Scottsbluff.
In the Matter of Kimball County, Kimball, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation. Commissioner Vap presiding as Hearing Officer.

Wednesday, November 7, 2007:

FC-1325 Commission Hearing Room, Lincoln.
10:00 In the Matter of SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc. - Retail v. Panhandle Feeders, Inc., alleging proposed installation of duplicative and redundant natural gas facilities. Commissioner Vap presiding as Hearing Officer.

B-1702 Commission Hearing Room, Lincoln.
1:30 In the Matter of Fremont Cab Services, LLC, Fremont, seeking to acquire, through transfer, the authority granted to City Cab, LLC, Fremont, in Certificate B-1586. Commissioner Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of complaints received in October 2007. She reported there were a total of 89 complaints: 54 - wireline and 35 - wireless. The complaints were categorized as follows: 46 billing, 32 service and 11 miscellaneous issues.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order authorizing payment. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3535 In the Matter of the Commission, on its own motion, seeking to establish procedures for the treatment of commercial agreements not subject to the filing requirements of §252 of the Telecommunications Act of 1996. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order closing the investigation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3829 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of its revised statement of generally available terms (SGAT) pursuant to section 252(f) of the 1996 Telecommunications Act, previously granted in Docket C-3313: Gene Hand provided a status report and requested the Commission authorize sending a letter requesting a further extension from Qwest. Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to authorize sending a letter. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3862 In the Matter of Matrix Telecom, Inc., Dallas, Texas, Americatel Corporation, Miami, Florida, and Startec Global Operating Company, Rockville, Maryland, seeking approval of certain financing arrangements and a pro forma reorganization. Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3049 In the Matter of the Commission, on its own motion, seeking to conduct an investigation into possible solutions for extending the life of area codes 308 and 402. Commissioner Landis presiding as Hearing Officer: Gene Hand informed the Commission of the updated Numbering Planning Area Forecasted Exhaust Dates for area codes 308 and 402. In addition, he indicated that while we cannot say with certainty that Thousands Block Pooling is causing the area code 402 exhaust date to continue to move out in small increments, recent data from NeuStar shows that in area code 402, 13% of assigned numbers are from pooled numbers and 13% of the assigned numbers were the result of porting. He also distributed copies of a press release announcing the Federal Communications Commission (FCC) adopted an order in FCC 07-188 on October 31, 2007.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand discussed the FCC's October 2007 report on High-Speed Services for Internet Access. The report presents a snapshot of subscribership as of December 31, 2006, based on the FCC's semi-annual data collection program.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-011/ In the Matter of the Commission, on its own motion, seeking
Pi-079 to establish Phase II enhanced wireless 911 service implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order to approve a new vendor, nine one one. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-020.01 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Level 3 Communications, LLC; Vartec Telecom, Inc.; Nebcon Partnership; Budget Phone, Inc.; CAT Communications International; Granite Telecommunications, LLC; Comtel Telecom Assets, LP, Respondent(s): Budget Phone, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order sustaining the complaint in part and dismissing in part. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-022.11 In the Matter of US Cellular, of Chicago, Illinois, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order amending the prior approval of funding. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter orders approving, in part, funding for equipment and GIS data costs for Dockets 911-023.62 and 911-023.66; and amend the prior order in Docket 911-023.66. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.62 In the Matter of Thurston County, Public Safety Answering Point, Pender, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.66 In the Matter of the Frontier County, Public Safety Answering Point, Curtis, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-023.66 In the Matter of the Frontier County, Public Safety Answering Point, Curtis, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter orders approving LEC funding for implementing a new wireless carrier in Dockets 911-023.27 and 911-023.42, and approving Phase II LEC costs in Dockets 911-023.26, 911-023.37 and 911-023.52. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

911-023.27 In the Matter of Platte County/Columbus PD, Public Safety Answering Point, Columbus, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.42 In the Matter of the Wayne Police Department, Public Safety Answering Point, Wayne, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.26 In the Matter of the Antelope County, Public Safety Answering Point, Neligh, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.37 In the Matter of Cass County, Public Safety Answering Point Plattsmouth, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.52 In the Matter of Nuckolls County, Public Safety Answering Point, Nelson, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.01 In the Matter of Sarpy County, Public Safety Answering Point, Papillion, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order approving equipment funding. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Tim Schram present not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-031.1 In the Matter of the Commission, on its own motion, seeking to establish surcharges assessed on users of prepaid wireless service and methods for the collection and remittance of surcharges from carriers offering prepaid wireless services: Tracfone Wireless, Inc. Commissioner Boyle was appointed Hearing Officer.

NUSF-1/ PO #5, PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund (NUSF): Consolidated Telecom, Inc.; Consolidated Long Distance, Inc.; and Consolidated Telephone Company: Jeff Pursley discussed the agreed upon procedures language for the NUSF Remittance and Payment audits. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to accept the deviation of audit language for the agreed upon procedures for NUSF Remittance Worksheet and Payment Audits. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-64 In the Matter of the Commission, on its own motion, seeking to investigate the use of expense caps in the earnings calculation for Nebraska universal service fund support. Commissioner Boyle presiding as Hearing Officer: Jeff Pursley discussed the Hearing Officer's order entered November 2, 2007, extending the comment deadline to November 14 and the reply comment deadline to November 30, 2007. The pre-hearing conference has previously been scheduled for December 4, 2007, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NUSF-72 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Vonage Network, Inc., Respondent(s): Jeff Pursley discussed opening a complaint against Vonage. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve a complaint against Vonage. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Jeff Pursley discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to open complaints against Legacy Long Distance International, Matrix Telecom, Inc., North Star Telecom, Inc., and Comtel Telcom Assets, LP. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0048 In the Matter of NorthWestern Corporation, d/b/a North-Western Energy, Sioux Falls, South Dakota, seeking approval of a natural gas general rate increase for Nebraska. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving Municipal Rate Negotiations Revolving Loan Fund Application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

P-0012.6 In the Matter of Aquila, Inc., d/b/a Aquila Networks, Omaha, providing notice required by *Neb. Rev. Stat. Section 66-1863*, as amended, that it intends to extend or enlarge its service area or extend a gas main: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Laura Demman informed the Commission of consumer complaints and inquiries received in October 2007. She reported there were a total of 32 complaints: Aquila - 14; SourceGas - 13; NorthWestern - 2; and Other Entities - 3.

TRANSPORTATION DEPARTMENT

B-1567 In the Matter of Tim Whitney, d/b/a Tri-City Limousine Service, Kearney, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application B-1567 until October 26, 2008: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the suspension until October 26, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1683 In the Matter of CUSA ES, LLC, d/b/a Express Shuttle, Bismarck, North Dakota, seeking to extend the authority in Nebraska intrastate commerce in the transportation of railroad train crews by van in open class service between points in the state of Nebraska by contract over irregular routes. HHS Designation: No. Commissioner Landis presiding as Hearing Officer: Upon agreement of all Commissioners, a hearing was scheduled for December 17, 2007, at 10:00 a.m. in the Commission Hearing Room, Lincoln.

B-1683 In the Matter of CUSA ES, LLC, d/b/a Express Shuttle, Bismarck, North Dakota, seeking to extend the authority in Nebraska intrastate commerce in the transportation of railroad train crews by van in open class service by van between points in the state of Nebraska by contract over irregular routes. HHS Designation: No: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order lifting the stay of November 14, 2006, and proceed to hearing. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1695 In the Matter of Kevin M. Jones, d/b/a Jone-Z Party Bus, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers and their baggage in charter and special party service by bus between points in Douglas, Sarpy, Cass, Saunders, Lancaster, Dodge, and Washington counties and between points in said counties over irregular routes. HHS Designation: No. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application as amended. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

BR-330 In the Matter of Jone-Z Party Bus, Omaha, seeking authority to establish rates and charges: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application as modified on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MR-230 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F: The fuel surcharge was increased to 88 cents per mile.

Commissioner Landis left the Commission Hearing Room.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

RVF-1 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Recreational Vehicle Program: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order setting the seal fee. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation for approval of the following Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Cornhusker State Industries	\$	549.00
Daily Record		645.29
Liberty Consulting Group		685.24

GENERAL ADMINISTRATION (Cont.)

Kent Pribyl	\$	986.79
Anne Boyle		698.40
Anne Boyle		482.40
Rod Johnson		890.21
Tim Schram		494.70

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM:

Alternative Hearing	643.65
B Hear Inc.	2,281.53
Larry Kent & Associates	2,273.55
Grand Island Hearing Aid	2,441.00
Carl A. Johnson Junior	619.70
Janet L. Killam	474.80
Thomas J. Tambling	554.80
Teltex	131.72
U-Save Pharmacy & Medical	186.95
Weitbrecht Communications	2,510.70
White's Hearing Aid	1,141.75

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to purchase a conference top desk for Commissioner Rod Johnson and to refinish a credenza for John Fecht. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

The meeting adjourned at 10:40 a.m. with Commissioners Boyle, Johnson, Schram and Vap present and Commissioner Landis excused. The next regularly scheduled meeting will be held on November 20, 2007, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on November 19, 2007.

Chairman

Executive Director